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New York

President:	Mrs. Viotti	(Brazil)
Members:	Bosnia and Herzegovina	Mr. Barbalić
	China	Mr. Tian Lin
	Colombia	Mr. Osorio
	France	Mr. Briens
	Gabon	Mr. Moungara Moussotsi
	Germany	Mr. Wittig
	India	Mr. Hardeep Singh Puri
	Lebanon	Mr. Salam
	Nigeria	Mr. Onemola
	Portugal	Mr. Moraes Cabral
	Russian Federation	Mr. Pankin
	South Africa	Mr. Sangqu
	United Kingdom of Great Britain and Northern Ireland	Sir Mark Lyall Grant
	United States of America	Ms. Rice

Agenda

The situation concerning the Democratic Republic of the Congo

Report of the Secretary-General on the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (S/2011/20)

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The meeting was called to order at 10.10 a.m.

Expression of thanks to the retiring President

The President: As this is the first public meeting of the Council for the month of February, I should like to take this opportunity to pay tribute, on behalf of the Council, to His Excellency Mr. Ivan Barbalić, Permanent Representative of Bosnia and Herzegovina, for his service as President of the Security Council for the month of January 2011. I am sure I speak for all members of the Council in expressing deep appreciation to Ambassador Barbalić and his delegation for the great diplomatic skill with which they conducted the Council's business last month.

Adoption of the agenda

The agenda was adopted.

The situation concerning the Democratic Republic of the Congo

Report of the Secretary-General on the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (S/2011/20)

The President: Under rule 37 of the Council's provisional rules of procedure, I should like to invite the representative of the Democratic Republic of the Congo to participate in this meeting.

Under rule 39 of the Council's provisional rules of procedure, I also invite Mr. Roger Meece, Special Representative of the Secretary-General and head of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo.

The Security Council will now begin its consideration of the item on its agenda.

Members of the Council have before them document S/2011/20, which contains the report of the Secretary-General on the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo.

I now give the floor to Mr. Meece.

Mr. Meece: It is my honour to appear before the Council today in association with the second report presented by the Secretary-General (S/2011/20) since the adoption of resolution 1925 (2010). I am pleased to note progress in several significant areas of the mandate of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), but also note continuing concerns and issues, particularly in regard to the situation in the eastern Democratic Republic of the Congo, as reflected in the Secretary-General's report.

(*spoke in French*)

Relations between MONUSCO and the Congolese Government have seen continual improvement, as confirmed to us by President Kabila on the occasion of his meeting with the Deputy Secretary-General and me in December 2010. The Mission has thus been able to establish a very constructive dialogue with civil and military stakeholders at all levels of Government. One outcome of this, among others, has been a strengthening of cooperation in terms of military operational cooperation, police training programmes, the approach to stabilization programmes, and the joint assessment process.

(*spoke in English*)

The ongoing joint assessment process incorporates an active review of security conditions, utilizing input from a variety of sources, including non-governmental organizations and the United Nations country team. Findings have validated the MONUSCO presence and approach to security issues, helping also to guide our future planning. There are no recommendations arising to date from this exercise for a change to the overall MONUSCO presence or its general approach, although we will continue to make specific adjustments in response to tactical and threat conditions.

The protection of civilians clearly remains our major priority and focus, driven particularly by the operations of foreign and domestic armed groups in the eastern portion of the country. These groups continue to act as predatory forces, often incorporating the use of rape or other violence as a weapon against civilians, as recently took place, for example, in the Fizi area of South Kivu, where 50 to 80 cases of sexual violence perpetrated by the Forces démocratiques de libération du Rwanda (FDLR) were reported during the latter half of January. MONUSCO continues to respond to these incidents and to provide all possible support and protection in this area.

Meanwhile, there have also been too many reported cases of abuses committed by members of the Forces armées de la République démocratique du Congo (FARDC) and the Congolese national police. We have been working closely with Congolese authorities to address those abuses, and I am encouraged to note a significant increase in 2010 in the number of arrests of Government soldiers and police accused of such abuses. For example, a significant number of rapes and other abuses were committed by FARDC troops in the first days of January, also in the Fizi area, resulting in at least 35 victims of sexual violence. Following rapid intervention by Government authorities and MONUSCO, 11 soldiers were arrested, including their commanding officer and three other officers. Such action is a welcome step towards ending the impunity felt by too many for too long.

It is important to note, however, that there are still significant weaknesses in the capacity of civilian and military justice systems. MONUSCO has taken action to bolster military prosecution capabilities with the establishment of joint prosecution cells, thanks to support provided by the Government of Canada and the Peacebuilding Fund. But much greater efforts are needed. I must also note that programmes to integrate former members of armed groups create additional problems. While such programmes are an essential component of the efforts to address the problem of independent Congolese armed groups, those individuals integrated without adequate training tend too often to be associated with reported abuses.

To address this issue and the great need for the general professionalization of the security services of the Democratic Republic of the Congo, I strongly support all efforts to increase to a sufficient level the amount of training provided to the FARDC. I would also wish to underscore the importance of increasing the capabilities of the Congolese national police. While MONUSCO initiated in September a long-term training programme for newly integrated police, with financial support from the Japan International Cooperation Agency, much more is needed.

The fundamental cause of continuing violence in the East, of course, rests with the presence and activity of remaining armed groups. Of these, the Rwandan FDLR continues to retain the greatest military capacity, operating primarily in North and South Kivu provinces. I can report, however, some hopeful signs in the long-standing effort directed against this derivative of the former Rwandan Army and Interahamwe forces.

Actions taken in Europe against key FDLR political leaders have clearly had a demoralizing impact on forces on the ground, which, along with new Security Council sanctions targeting key FDLR leaders and more active MONUSCO operations undertaken in collaboration with the FARDC, have increased pressure on FDLR and other forces in the eastern Democratic Republic of the Congo. Consequently, we have seen internal FDLR strains and operational problems, and some increase in the number of more senior officers who have presented themselves for repatriation.

It is certainly premature to assert that the FDLR is collapsing, but the group's capacity is diminishing and under strain. In fact, for the first time in my experience in the region, I believe that the outlines can be seen of an eventual resolution of this long-standing threat to the population of the region. We are not at the point of success, but there has been clear progress. I consider it vitally important that the political and military pressure be maintained to the maximum extent possible in order to build on this encouraging trend.

Other foreign groups obviously also remain a significant problem. Notably, the Lord's Resistance Army (LRA) is still a major threat, with its brutal tactics and operations. While the numbers of LRA fighters in the Democratic Republic of the Congo are limited, they operate in very remote areas, and the cross-border regional dimension renders control difficult. Efforts continue to increase regional cooperation, including the establishment in late 2010 of the joint intelligence and operations centre in Dungu, Orientale province. LRA leader Joseph Kony has reportedly remained outside the Democratic Republic of the Congo in recent months, and in my view, as the key to the LRA as an organization, he should remain a focus of attention, as a complement to our and others' ongoing civilian protection efforts.

I would also note that the unfolding situation in South Sudan in the aftermath of the referendum also bears careful monitoring regarding possible opportunities for the LRA and, indeed, the general security environment in the region. We have been in consultation with Congolese Government officials regarding these issues, and have also initiated contingency planning based on possible scenarios.

In recent months, MONSUCO has maintained a substantially increased level of operations relative to the threat of armed groups in the East. A variety of models have been employed, including unilateral MONUSCO operations and those conducted in conjunction with related FARDC operations. All, however, are planned and conducted in full cooperation with the FARDC and Congolese Government authorities. I am pleased with how this collaboration has continued to develop, and I believe that this approach, while not free of problems, has been effective, as evidenced in reduced operational opportunities for armed groups and in pressure to encourage disarmament and repatriation or reintegration actions.

All support to the FARDC is, of course, undertaken in compliance with the conditionality policy in support of strict standards in observance of human rights. I am absolutely convinced that this more active military posture is a necessary component to achieve the conditions of long-term security that are the shared goal of MONUSCO and the Congolese Government.

I am obliged, however, to note resource concerns. A shortage of military helicopters imposes significant constraints on operations. The decision of the Indian Government to extend the use of existing combat helicopters until July is most welcome and provides needed breathing room, but we are still facing serious shortfalls that are projected to increase absent new timely contributions. To the somewhat limited extent that these shortfalls can be mitigated through increased use of civilian helicopters, this also increases strains on our already very stretched budget, and I am also very concerned about this.

I would also note that we have been moving ahead actively with a variety of initiatives to provide increased protection against imminent threats, as was outlined to the Council last year. These include the establishment of community alert networks, the augmentation of the number of community liaison interpreters, the utilization of cell phones with pre-set contact numbers and of UHF radios, and other actions. I will not claim that all these efforts will achieve perfect results. I believe, however, that we have made significant progress in identifying risks and responding swiftly to cases of violence, and we will continue to actively review all operations and initiatives in order to continue to be as effective as possible in this priority area.

I would also like to note movement to deal with the illegal exploitation and trade in conflict minerals supporting armed groups in the eastern Democratic Republic of the Congo. In addition to the Congolese national efforts, including the ongoing establishment of five trading centres supported by MONUSCO and several other United Nations agencies, and the initiatives undertaken in the United Sates and Europe to control international commerce, an important regional summit was conducted in Lusaka in December to address this issue. That summit, with the full participation of President Kabila and many other regional leaders, represented an important step forward. I strongly hope that this momentum at all levels — national, regional and international — can be maintained.

As a critical component of the long-term stabilization of the Democratic Republic of the Congo, I would also like to emphasize that good progress has been made towards the conduct of national elections this year. While their conduct is obviously challenging, preparations for general elections have moved forward. I believe that the importance of the need for transparent and open conditions to ensure successful democratic elections is very clear, as is the key importance of such elections to Congo's continuing stability. MONUSCO has been actively providing needed logistical support, with over 2,600 tons of election-related material transported to date to 190 hubs and sub-hubs. Progress towards ensuring overall financing of the Congolese election budget also has been satisfactory.

I must note my concern, however, about MONUSCO budget levels, as it is not yet clear that we will have needed funds in the 2011/2012 budget cycle to ensure the necessary logistical support we are uniquely positioned to provide. If we face MONUSCO budget shortfalls, we will be obliged to utilize funds from other parts of the Mission's budget, potentially with quite significant negative impact on other important operations. We are engaged in active discussions regarding these vitally important questions. A failure to conduct credible elections would, of course, represent a major setback to the very significant progress achieved over many years in the Democratic Republic of the Congo.

Finally, I would like to underscore that I believe we are making important headway in implementing the overall stabilization agenda, and I would note some important initiatives in the western Democratic Republic of the Congo in furtherance of that goal. A draft integrated peace consolidation programme has been prepared with the United Nations country team and international partners, and has been well received by Congolese Government authorities. In a related step, in MONUSCO we are moving ahead with an innovative pilot programme to replace several traditional head-of-office positions in the western Democratic Republic of the Congo with area-coordinator positions drawn from United Nations agencies. We believe that this step should enhance our ability to deliver effective results and improve coordination within the United Nations family, consistent with a one United Nations approach.

(*spoke in French*)

Before I conclude, I should like to express my most sincere gratitude to all the staff of MONUSCO and United Nations agencies in the Democratic Republic of the Congo, who are working tirelessly to establish lasting stability in the country and to ensure a better future for the Congolese people.

(*spoke in English*)

With this support, and while cognizant of the ongoing challenges and difficulties, I remain optimistic that, with sustained engagement and support, we are on a path towards achieving the kind of security and stable conditions that the people of the Congo and region richly deserve. I thank the members of the Council for their attention and continuing support of our Mission.

The President: I thank Mr. Meece for his briefing.

I give the floor to the representative of the Democratic Republic of the Congo.

Mr. Ileka (Democratic Republic of the Congo) (*spoke in French*): Allow me at the outset to express my satisfaction at seeing you, Madame, presiding over the Security Council this month. You represent a country, Brazil, with which the Democratic Republic of the Congo enjoys excellent relations based on mutual respect and esteem. I take this opportunity to join you in thanking your predecessor, the Permanent Representative of Bosnia and Herzegovina, for the masterly manner in which he led the work of the Council last month, as well as for his zeal, expertise and competence in discharging his duties.

In reiterating my best wishes for his success, I pay a well-deserved tribute to Ambassador Roger Meece for his work in his capacity as Special Representative of the Secretary-General at the head of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO). I thank him for his exhaustive briefing and introduction of the Secretary-General's report in document S/2011/20, before the Council today.

The Council has heard the Special Representative of the Secretary-General describe the good relationship between my Government and MONUSCO as it fulfils its mandate, which I can confirm. The joint assessment has yet to suggest the need for a new configuration of MONUSCO's mandate or deployment. That in itself speaks volumes. While a great many things have been accomplished, significant challenges remain, as the Special Representative eloquently stressed.

Eleven years ago, during the Security Council's debate of 10 January 2000 on the impact of AIDS on peace and security in Africa (see S/PV.4087), although I was not yet Ambassador I drew the Council's attention to and denounced the use of rape as a weapon of war in my country. As I recently stressed at the first regular session of the Executive Board of the United Nations Entity for Gender Equality and the Empowerment of Women, held from 24 to 26 January, for the Democratic Republic of the Congo violence against women remains a real scourge, a dark reminder and a sinister legacy of a decade of ruptured international peace and security, of which my country was the expiatory victim.

The third International Action of the World March of Women, held in Bukavo from 13 to 17 October 2010, and the opening just a few days ago, also in Bukavo, of the City of Joy for Congolese women who have escaped sexual violence are among the significant indications that it is time to put an end to that barbaric practice. I reiterate once again the unfailing commitment of the Democratic Republic of the Congo to eliminating the scourge of sexual violence.

The fight against violence against women, particularly sexual violence, is a shared but differentiated responsibility of the international community and the United Nations, whose management of the Great Lakes crisis a decade ago

was not one of its shining moments. It is, of course, also the responsibility of the Congolese Government, which is primarily responsible for security, the protection of civilians and ensuring respect for the rule of law, international humanitarian law and human rights in our country.

I am quite optimistic and confident about the outcome of the visit now under way by Ms. Margot Wallström, Special Representative of the Secretary-General on Sexual Violence in Conflict, particularly regarding the preparation of strategies for preventing and deterring sexual violence against women. However, these crimes against humanity, by whosoever committed — nationals, foreigner or even messengers of peace — call for reparations. They require us to put an end to this impunity. We should also stress that, despite these shortcomings, the Democratic Republic of the Congo remains one of the rare countries where senior officers have been prosecuted and incarcerated for acts directly related to sexual violence.

The assistance provided to us by MONUSCO, particularly in apprehending perpetrators and setting up early warning systems with a view to preventing possible cases of rape, should also be highlighted. In that regard, I am very reassured by the fact that the process aimed at providing a response to the report of the mapping exercise documenting the most serious violations of human rights and international humanitarian law committed between March 1993 and June 2003 in the Democratic Republic of the Congo has made substantial progress.

The judicial architecture to be established, while delivering justice to the millions of Congolese who fell victim to the rupture in international peace and security, will certainly be built in such a way as to enable us to know which cases of rape are still being committed. The return of peace, of total peace, is the best guarantee for putting an end to these acts that we deplore. That is why, in areas where insecurity persists, the fight against foreign and Congolese armed groups must be pursued, with the support of MONUSCO and other interested partners.

In the northern part of the country, the fortunate developments in the Central African Republic and the Sudan should enable us to better coordinate to effectively combat the Lord's Resistance Army (LRA). Those developments will also help us in the eastern part of the country, in the North and South Kivu provinces, in the fight against the remnants of foreign armed groups, most of Rwandan origin, and against those of my Congolese countrymen who have become outlaws.

The fight against armed groups must be waged in tandem with security sector reform. Organic laws to reform the Forces armées de la République démocratique du Congo (FARDC), the organization and functioning of the armed forces and the organization, funding and functioning of the Superior Council of Defence, as well as a draft organic law on the police, were recently enacted by Parliament. We should now expedite the security sector reform process with a view to meeting the requirements of a national, republican and apolitical army that is subject to constitutionally established civilian authority at all levels of power. That authority should respect and protect the dignity and fundamental freedoms of the individual, particularly of women, while also taking into account the country's geopolitical and geostrategic importance. Everyone agrees that such reform is essential to the stabilization and post-conflict consolidation of the Democratic Republic of the Congo.

I would now like to briefly review the humanitarian situation. The report of the Secretary-General (S/2011/20) is quite detailed in that sense, particularly in regard to the eastern and southern provinces. Overall, the situation remains a source of concern, although we should recognize the work of the United Nations High Commissioner for Refugees (UNHCR) and MONUSCO. The situation is particularly worrisome not only in the east, but also in the west.

In the north-west, the Government signed a tripartite agreement with the sisterly Republic of the Congo and UNHCR, and adopted a timetable establishing 20 April as the date on which operations would begin to repatriate my country's displaced from northern Republic of the Congo. The rainy season has made the living conditions of the displaced quite precarious. The UNHCR requires additional resources to help both Congos to provide assistance to the displaced.

Further to the west, the Democratic Republic of the Congo recognizes the sovereign right of all countries to manage their immigration policies as they deem fit. However, as we do with other countries on a daily basis, particularly those in the northern

hemisphere, we would ask that the expulsions of Congolese nationals be carried out with dignity and in accordance with the relevant commitments made more than 10 years ago.

The year 2011 will certainly be an election year in Africa. The Democratic Republic of the Congo plans to hold elections in late November. All Council members have followed the discussions that led to the constitutional review. It is important to emphasize that no one in the Democratic Republic of the Congo questions the constitutionality of that review. Regardless of the real or alleged intentions of those who initiated the review, it is worth emphasizing that they did so in full compliance with articles 218 and 219 of the Constitution of 18 February 2006.

It is equally useful to recall that the debate on the review of the Constitution dates back to 2006, when it was promulgated by the President of the Republic. The hardliners still hope that Parliament — which was newly elected at the time and on which the people, the supreme leaders, will be voting again this year — will review the entire Constitution, which was the result of trade-offs, negotiations and even bargaining among non-elected entities during the political transition period. The minimalists, for their part, are in favour of making adjustments as and when necessary as institutions grow stronger and reassert themselves.

In any case, the Government is firmly convinced that the review will enable it to assume its historic responsibility to adjust the ambitions of our young democracy, which is still finding its voice, to match its own resources and to learn from other African experiences.

Moreover, as highlighted in the report of the Secretary-General, my Government has made a commitment to covering the majority of the election costs. This is a sovereign decision, dating back to 2006, that was presented to and accepted by the Steering Committee. Given our current economic difficulties, this is a significant sacrifice that will be useful and necessary if one day we wish to organize elections as they are organized in all democracies worthy of that name.

The Congolese Government will be responsible for the security of candidates, polling stations and results. We have already requested logistical support from MONUSCO. It is thanks to MONUSCO that we have already begun to distribute various electoral materials. My country has assumed the fuel and maintenance costs of the distribution. We are now awaiting detailed instructions from the newly established Independent National Electoral Commission on how to organize the electoral process, in particular voter registration, electoral lists, voting operations and ballot counting. In short, we ask the Commission to shine a light on our path towards these elections.

These are the few points that I wished to raise in this morning's meeting. I cannot conclude, however, without first expressing my gratitude to you, Madame President, in your other, high capacity as Chair of the Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo.

Relations between my Government and the various groups of experts we have seen since 2001 have rarely been contentious and have been characterized by respect for the scope of action of all actors involved, despite our differences. Often, and this was again the case last year, the reports of the Group of Experts have largely strengthened the peace process. One can readily identify the modest contribution of the Group of Experts in the resolutions and decisions adopted at the summit of the International Conference on the Great Lakes Region on mineral resources management and certification, which was held in Lusaka, Zambia, on 15 December 2010. The collaboration between the Group of Experts and the Government, through the Ministry of Mining, is far from over.

We hope to continue benefiting from the Group's expertise, particularly this year, during which the Democratic Republic of the Congo will chair the Kimberley process. The same holds true for other areas, such as the fight against the proliferation of small arms and light weapons, in which the Group's ideas have certainly held our attention. In other words, my country hopes to continue to work closely with the Council and the Group of Experts established pursuant to resolution 1952 (2010) in a spirit of mutual respect. That is our request.

The President: There are no further speakers inscribed on my list. I should now like to invite Council members to informal consultations to continue our discussion on the subject.

The meeting rose at 10.40 a.m.